

FINDING OF NO SIGNIFICANT IMPACT/DECISION NOTICE
For Proposal To
RELOCATE RUINS ROAD

Aztec Ruins National Monument
San Juan County • New Mexico

The National Park Service (NPS) will relocate approximately 2,100 feet of the main monument road (Ruins Road, also designated State Road 248 and County Road 2900). The purpose of the project is to mitigate the traffic vibrations from heavy truck and other traffic on the road. Vibrations from traffic pose a vibration risk to monument resources. Road relocation will improve the roadway geometry and curve safety. The security of the monument will be enhanced by the project because of the addition of a lockable gate.

The new alignment for Ruins Road passes approximately 230 feet south of the current road through fallow pastureland managed and owned by the NPS. Congress approved a boundary expansion for the monument in October 1988, but lands were acquired through 2001. Prior to NPS stewardship, the site was privately owned and, since its acquisition by the NPS, has been managed passively.

Private residential growth, as well as oil and gas development, on the west side of the Animas River north of the monument has resulted in increased residential and commercial traffic on Ruins Road. In 1994, Mr. Kenneth King, a licensed geophysicist specializing in vibration engineering, was retained by the NPS to evaluate effects of vibrations on the archeological and historic resources at Aztec Ruins National Monument. The vibration study found that vibrations caused by vehicular traffic on Ruins Road, particularly the deceleration-acceleration section near the West Ruins and the historic Earl Morris house/visitor center, pose a vibrational risk to the monument resources. Relocating Ruins Road will benefit the monument's primary cultural resources and assist the NPS in fulfilling legislated responsibilities to conserve cultural resources that are listed on the National Register of Historic Places.

PREFERRED ALTERNATIVE

Relocation of Ruins Road. The preferred alternative is to relocate 2,100 feet of the main monument road (Ruins Road) approximately 230 feet to the south. This relocated road segment will be reconstructed from the monuments' entrance east to include the curve where the road continues north. The western project terminus will consist of a 3-way "T" intersection located approximately 230 south of the existing intersection near the monument's entrance. The existing 15 MPH curve at the eastern terminus will be replaced with a 450-foot radius curve before tying into County Road 2900 immediately north of the curve. The north leg of the "T" intersection will be the entrance into Aztec Ruins National Monument and will follow the alignment of the existing entrance roadway. A lockable gate will be installed at the monument entrance to control after hours access to the monument. The exit road from the existing west parking lot will be relocated approximately 80 feet to the north of its present location. The access road to the

(parcel 101-40) will be also constructed. Open irrigation ditches near the new road alignment will be enclosed.

In addition to road relocation work, approximately 2,100 feet of the existing road will be obliterated. Existing asphalt pavement on the old road will be lifted and disposed of at approved landfill areas outside the monument. Pavement immediately adjacent to the historic walls will be removed by hand to avoid damaging the walls. After pavement removal, the existing roadbed will be scarified and reseeded. The exit from the parking lot will be ripped, recontoured, scarified and reseeded. The fill that had been placed to construct that section will be removed to the original ground surface. Fill removed from the original road will be used elsewhere in the new alignment right-of-way. The dirt road access to the gas well will be relocated to the south. The old roadbed will be scarified and reseeded. Utility lines for water, sewer, gas, and overhead electric and telephone will remain in place and a utility easement along the old roadbed will be maintained. Some utility poles will be relocated.

A complete description of the proposed action alternative is on pages 12 through 15 of the EA.

ALTERNATIVES CONSIDERED

The EA evaluated two alternatives in detail: a no-action alternative and the proposed action alternative described on pages 12 through 15 of the EA. In addition, the NPS considered other alternatives early in the planning process but dismissed those options from detailed analysis. Dismissed alternatives and the rationale for their dismissal are presented on page 20 of the EA.

Environmentally Preferred Alternative

The environmentally preferred alternative is determined by applying criteria identified in Section 101 of the National Environmental Policy Act (NEPA) to each alternative considered. In accordance with NEPA, the environmentally preferred alternative will best: (1) fulfill the responsibility of each generation as trustee of the environment for succeeding generations; (2) assure for all generations a safe, healthful, productive, and aesthetically and culturally pleasing surroundings; (3) attain the widest range of beneficial uses of the environment without degradation, or other undesirable and unintended consequences; (4) preserve important historic, cultural and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice; (5) achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and (6) enhance the quality of renewable resources and approach the

As considered in the EA, the preferred alternative to relocate Ruins Road is the environmentally preferred alternative. After review of potential impacts to resources and visitors and after incorporating measures into the preferred alternative to avoid or minimize impacts, the preferred alternative achieves the greatest balance between assuring a safe, healthful, and aesthetically attractive environment; accommodating a wide range of uses without degrading the environment or posing risks to health and safety; preserving and enhancing important aspects of a diverse, national heritage; and achieving a balance between resource and visitor use.

WHY THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

Consideration of effects described in the EA and a finding that they are not significant is a necessary and critical part of this FONSI as required by 40 CFR 1508.13. Significance criteria are defined in 40 CFR 1508.27 to consider direct, indirect, and cumulative impacts and the context and intensity of impacts. Mitigation measures described in the EA and incorporated into the preferred alternative, including pre-construction remote sensing of cultural resources and documentation, are generally required by laws, regulations, or NPS policies and are adopted by this decision.

Context

This measure of significance considers the setting within which an impact was analyzed in the EA, such as the affected region, society as a whole, affected interests, and/or a locality. In the EA, the intensity of impacts was evaluated within a local (i.e., project area) context, while the intensity of the contribution of effects to cumulative impacts is evaluated in a regional (i.e., park-wide) context or, in the case of special status species, within the context of a species range. This decision and the preferred alternative effect only the immediate local area, in terms of resources, employees, visitors, and/or businesses. Therefore, any possible impact is limited to this level of least significance.

Intensity

This measure of significance refers to the severity of impacts, which may be both beneficial and adverse, and considers measures that will be applied to minimize or avoid impacts. The intensity of an impact, if any, is discussed below for each stated criteria.

As defined in 40 CFR 1508.27, significance is determined by evaluating the following criteria:

Degree of effect on public health or safety. The preferred alternative will have a long-term, beneficial effect on public health and safety. Safety concerns associated with the

temporarily by construction activities. During active construction and obliteration of the existing road segment, the NPS will restrict access to the project areas to reduce potential injury to visitors.

Degree of effect on unique characteristics of the potentially affected area, such as proximity to biotic communities, prime farmlands and wild and scenic rivers, historic or cultural resources, recreational values, or monument operations.

The preferred alternative will have negligible, short-term effects that will not impair biotic communities. With mitigation as described in the EA, the overall effect of construction and post construction activities of the preferred alternative will have no long-term impact to any natural resources, individual species or populations of animals or plants, or any biotic communities as a whole. Prime farmlands and wild and scenic rivers are not present in the project area and will not be affected by the preferred alternative.

Aztec Ruins National Monument was listed in the National Register of Historic Places in 1966 and was designated a World Heritage Site in 1987. Relocating Ruins Road will mitigate traffic vibration risks to resources integral to the cultural integrity of the monument. The new alignment will place the road section through a field that contains buried and surface deposits of both prehistoric and historic-era archeological materials. Following consultation with interested Tribes and with the New Mexico State Historic Preservation Office, the NPS finds and the New Mexico State Historic Preservation Office concurs that relocating Ruins Road will have an effect on an eligible historic property, but the effect would not be adverse. Archeological resources in the new alignment right-of-way will be protected through site burial as proposed in the NPS Site Preservation Plan and agreed to by the New Mexico State Historic Preservation Office. In addition, certain stipulations identified by the New Mexico State Historic Preservation Office will be undertaken, including specific measures to minimize impacts on the site through careful road design and construction procedures, and remote sensing prior to construction for baseline information. In addition, an archeologist will monitor construction activities for any effects on archeological resources.

Over the short term, recreational values will be adversely affected by noise, dust, fumes, delays, and construction vehicle traffic along this section of Ruins Road for a very short time. Over the long term, visitors will benefit from less noise and less visual intrusion into the monument's cultural resources and an improved road section. The preferred alternative will result in a long-term minor to moderate beneficial impact to monument operations.

impacts to archeological and ethnographic resources. American Indian tribes traditionally associated with the lands of Aztec Ruins National Monument, and others with whom monument staff regularly consults, have expressed concern about ground disturbance at the monument. Balancing the potential negative impacts to buried archeological resources with the continued vibration stresses to the monument's primary cultural resources compels road realignment. Due to the constraints of topography and park boundaries, however, the only location for the road realignment is the field adjacent to the existing road and avoidance of buried archeological resources within this field is not possible.

Because data recovery of buried archeological resources would be destructive in itself and as such is considered an "undertaking" under regulations of the Advisory Council on Historic Preservation (36 CFR 800) data recovery is not a preferred mitigation strategy. Although avoidance of the archeological site cannot be attained and excavation is not a preferred action, potential impacts to the site will be mitigated through site burial. In consultation with the New Mexico State Historic Preservation Office and concerned tribes, the NPS will mitigate impacts to buried archeological resources through site burial. The NPS will also implement other measures specified in the Site Preservation Plan for LA 1674 (NPS, 2002) and agreed to by the New Mexico State Historic Preservation Office. They include road design specifications and construction procedures that minimize impacts to the site. Site burial will make archeological resources beneath the road realignment inaccessible for the foreseeable future; therefore a program of remote sensing will be conducted prior to any construction activity to acquire information. Some limited archeological testing to confirm certain features detected with remote sensing may be appropriate but will be kept to a minimum.

The effects on the human environment from implementing this project are limited to those caused from relocating a 2,100-foot segment of Ruins Road and obliterating the old alignment. This action will mitigate vibration risks to the monument's primary cultural resources that are key to the cultural integrity of the park. The action is also consistent with NPS Management Policies 2001 for the management of cultural resources. Protection of cultural resources from traffic vibration stress risks through road relocation has generally not been controversial. However, through road construction there is potential for disturbance of buried archeological sites. This project protects the buried archeological resources through site burial and careful road design and construction procedures. Burial of an archeological site can serve as a form of preservation for that site. Commentors support action that will protect monument resources from traffic vibration risks. Commentors have also concurred that the potential for adverse effects to cultural resources associated with the preferred alternative will be minimized or avoided by site

Implementing this project is expected to mitigate traffic vibration risks to the primary cultural resources of Aztec Ruins National Monument. There may be short-term negligible impacts to natural resources, however with mitigation; the overall effect of construction activities of the preferred alternative will have no long-term impact to any natural resources.

The degree to which the possible effects on the human environment is highly uncertain or involves unique or unknown risks. As disclosed in the “Mitigation” section of the EA page 18 and the “Environmental Consequences” section pages 40-47 the potential effects to cultural resources of the preferred alternative are mitigated through road design via burial, and by a program of remote sensing prior to construction to obtain baseline information on buried archeological resources.

The degree to which the action may establish a precedent for future actions with significant impacts. The preferred alternative neither establishes a National Park Service precedent for future actions with significant effects nor represents a decision in principle about a future consideration. Site preservation through burial is an innovative technique that has potential for broader application in site preservation. Future actions entailing construction activities with the potential to disturb archeological resources will be evaluated through additional, project-specific planning processes that incorporate requirements of the National Environmental Policy Act, the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, and NPS policies.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into smaller parts. As described in the EA on pages 40-47, the preferred alternative will affect biotic communities, archeological resources, historic structures, cultural landscapes, ethnographic resources, recreational values, visitor experiences, and monument operations. However, although some resources will be adversely affected over the short-term during construction, the preferred alternative will generally result in long-term, beneficial effects on resources that are key to the monument’s natural and cultural integrity. Also as described in the EA, a variety of past, present and reasonably foreseeable actions have affected resources at and in the vicinity of Aztec Ruins National Monument. Although short-term, adverse impacts will contribute a negligible to minor component to cumulative impacts, such impacts will not result in cumulatively significant impacts and the proposed project will generally reduce cumulative impacts over the long-term by reducing traffic vibration stress risks to

The degree to which the action may adversely affect items listed or eligible for listing in the National Register of Historic Places, or other significant scientific, cultural or historic resource as indicated under Section 106 of the National Historic Preservation Act. As described in the EA there will be minor to moderate long-term beneficial effects on cultural or historical resources that are key to the cultural integrity of the monument. In addition, although there will be impacts to eligible historic properties, the NPS finds, and the New Mexico State Historic Preservation Office concurs, with a determination of “no adverse effect” for the proposed undertaking subject to stipulations described in the “Site Preservation Plan for LA 1674.”

The degree to which the action may adversely affect an endangered or threatened species or its critical habitat. The preferred alternative will not adversely affect or impair any listed special status species or designated critical or essential habitats. Listed species that may live in or depend on the project site for habitat were not found in a literature search of monument records and in a field survey of the project site conducted by knowledgeable monument natural resource staff.

Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment. The preferred alternative violates no federal, state, or local environmental protection laws.

Consideration of Impairment Pursuant to National Park Service Policies. In addition to determining the environmental consequences of the preferred and other alternatives, NPS policy (*Management Policies 2001*) requires analysis of potential effects to determine whether or not actions would impair park resources. Policies clarifying terms pertaining to “impairment”, as well as a prohibition on impairment and what constitutes impairment, are found in Management Policies 2001 (Sections 1.4.2 through 1.4.7), which are summarized below.

The fundamental purpose of the National Park System, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values.

However, the laws do give the NPS the management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values.

must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise.

Prohibited impairment may include any impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including opportunities that otherwise would be present for the enjoyment of those resources or values. An impact to any park resource or value may constitute an impairment. An impact more likely would constitute impairment to the extent it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park;
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents.

Because there will be no major adverse impacts to a resource or value whose conservation is (1) necessary to fulfill specific purposes identified in the establishing legislation or proclamation of Aztec Ruins National Monument; (2) key to the natural or cultural integrity of the National Monument or to opportunities for enjoyment of the National Monument; or (3) identified as a goal in the National Monument's general management plan or other relevant NPS planning documents, the preferred alternative will not result in impairment of resources or values at Aztec Ruins National Monument.

PUBLIC INVOLVEMENT

- February 16, 2000, park staff met with the Chaco-Aztec American Indian Consultation Committee to notify the committee of the proposed project.
- March 20, 2000, tribes claiming an affiliation with Aztec Ruins National Monument were notified by letter of the proposed road relocation.
- January 23, 2001 a public open house was held at the park visitor center to discuss the proposed project. Approximately 20 people attended.
- February 15, 2001, an open house specifically for tribal representatives to discuss the project and elicit concerns was held at the park visitor center. Nine representatives of four tribes attended.
- March 15, 2001, the scope of work for archeological testing for the road relocation project was sent to the Hopi Tribe, and on April 25, 2001, the acting park superintendent and the project coordinator met with the Hopi Tribal representatives at Kykotsmovi, Arizona on the Hopi Reservation to discuss concerns about the project.

Meeting in Aztec. Park staff, NPS project coordinator, and NPS cultural resource specialist provided updated information on the project and answered questions and took tribal representatives on a tour of the proposed road relocation area.

- February 26, 2002, utility company representatives, City of Aztec representatives, and monument staff met at the park to discuss the project and the utility right-of-way.
- June 26-27, 2002, Monument staff updated tribal representatives attending the Chaco Culture and Aztec Ruins American Indian Consultation Committee Meeting in Aztec.
- In June, 2002, the EA was made available for a 45-day public review and comment period; copies of the EA were also sent to the New Mexico State Historic Preservation Office, tribes, and other interested or potentially affected parties.

The NPS received 6 letters, one electronic mail, and one telephone communication on the EA from private citizens, tribes, and government agencies. Letters were received from United States Fish and Wildlife Service, Pueblo of Acoma, Southern Ute Indian Tribe, Pueblo of Laguna, The Hopi Tribe, and the Mescalero Apache Tribe. An electronic mail message was received from Roger Moore (Moore Anthropological Research) and a telephone message was received from Michael Padilla, Aztec, New Mexico. All responses are in support of the project. Mr. Moore's comment suggests that because many current landmarks will be removed as a consequence of relocating the road, that permanent location markers be placed along the southern boundary of the park as well as along the current road alignment. The NPS will place permanent markers at locations to be determined by monument staff and by NPS archeologists.

This FONSI, attached to the existing public review EA, is the NPS proposal. The public review EA will not be reprinted.

CONCLUSION

The preferred alternative does not constitute an action that normally requires the preparation of an environmental impact statement (EIS), and the preferred alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are negligible to minor. There are no unmitigated adverse impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. In addition, no highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence have been identified and implementing the preferred alternative will not violate any federal, state, or local environmental protection law.

Recommended: _____
Acting Superintendent, Aztec Ruins National Monument Date

Approved: _____
Intermountain Regional Director Date